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REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed February 6, 2007. In the Office Action, the Examiner notes that claims 1-23, 25 and 28 are pending and rejected.

In view of the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of these claims are now in allowable form.

It is to be understood that Applicants do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant response.

35 U.S.C. §103 Rejection of Claims 1-10, 14, 16-17, 19-23, 25 and 28

The Examiner has rejected claims 1-10, 14, 16-17, 19-23, 25 and 28 under 35 U.S.C. §103(a) as being unpatentable over Ludvig et al. (International Pub No WO 00/0589, hereinafter "Ludvig") in view of Bruette (U.S. Patent 6,708,336 B1, hereinafter "Bruette"). Applicants respectfully traverse the rejection.

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. However, the Ludvig and Bruette references, alone or in combination, fail to teach or suggest all of the limitations recited in claim 1 or claim 20, and thus fail to teach or suggest Applicants' invention as a whole.

Claim 1 recites:

"receiving, from service provider equipment, a search object comprising a video slice encoded by a service provider, said search object being for an interactive program guide (IPG);
receiving one or more user-generated search criteria via user interaction with said search object;
sending a request for a search along with the one or more search criteria to a head end of an information distribution system;

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receiving at least one search result from the service provider equipment;
and wherein the program guide database is searched at the service
provider equipment."

Ludvig teaches a method and apparatus for combining video frame sequences with a video display of an interactive program guide (IPG). Specifically, background information and video frame sequences are combined with different program guide graphics to form different video frame sequences, which are encoded and multiplexed for transmitting to a subscriber using a single transport stream. This allows a subscriber to transit from one program guide to the next without interruption of the background or video display as the program guide graphic is changed. (See Ludvig, Abstract and Page 4, Line 8 - Page 5, Line 12.)

Although Ludvig discloses an IPG being received by a subscriber, there is no teaching or suggestion regarding searching the IPG, providing a search object, or other features relating to a method of searching a program guide database, or an IPG page having a search window object to support a search, as provided in Applicants' claims 1 or 20.

Thus, the Office Action relied on col. 2, lines 20-31 and col. 3, lines 25-50 of Bruette for teaching various features of searching a database, such as user-generated search criteria.

However, Applicants submit that since Ludvig does not teach or suggest any aspect of searching an IPG, there is simply no motivation to combine Ludvig's method of encoding an IPG with Bruette's database searching method.

Furthermore, even if combined, Ludvig and Bruette would not have resulted in Applicants' invention because, as set forth below, Bruette also does not teach or suggest various features of Applicants' invention.

For example, Bruette teaches the generation and searching of a database in a memory by using program identifying information received from a service provider, along with user-input search criteria (Abstract). However, as taught by Bruette, the database is generated and stored in memory at a receiver or decoder.

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This is supported by Bruette in col. 1, line 65 to col. 2, line 42 (Summary of the Invention), which discloses a method comprising "receiving program identifying information from a service provider, the program identifying information comprising service provider search data and information identifying the channel on which the program is transmitted, receiving user-generated search criteria, comparing the service provider search data with the user-generated search criteria, and selecting a channel corresponding to the program identifying information if the service provider search data corresponds to the user-generated search criteria" (col. 2, lines 20-32; emphasis added).

Bruette also teaches generating a database in a memory based on such program identifying information received from a service provider (col. 2, lines 5-12), and as shown in Figure 1, the memory and CPU for implementing the database and subsequent search are provided in a receiver or decoder.

Thus, not only is there no teaching or suggestion by Bruette that a search request is sent to a head end of an information distribution system, but there is also no suggestion that the program guide database is searched at the service provider equipment, as provided in Applicants' claim 1.

As such, Applicants respectfully submit that independent claim 1 is patentable under 35 U.S.C. §103 over Ludvig and Bruette, alone or in combination.

Independent claim 20 recites relevant limitations similar to those recited in independent claim 1 and, as such, for at least the same reasons discussed above, claim 20 also is patentable under 35 U.S.C. §103 over Ludvig and Bruette, alone or in combination.

Moreover, since all of the dependent claims depend, either directly or indirectly, from claims 1 or 20, and recite additional limitations thereof, these dependent claims are also patentable under 35 U.S.C. §103 over Ludvig and Bruette, alone or in combination.

Therefore, Applicants request that the rejection be withdrawn.

35 U.S.C. §103 Rejection of Claims 11-13 and 15

Examiner has rejected claims 11-13 and 15 under 35 U.S.C. §103(a) as being unpatentable over Ludvig in view of Bruette and further in view of Lemmons et al. (US

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Pat App Pub No 2003/0115603, hereinafter "Lemmons"). Applicants respectfully traverse the rejection.

Examiner cited paragraphs 42 and 80-88 of Lemmons for teaching various features in claims 11-13 and 15, such as sorting results in certain particular orders, and for teaching the transmission of data from the head end to the set top box on an out-of-band channel.

However, there is no argument put forth in the Office Action that Lemmons provides those features that are missing from Ludvig and Bruette.

Furthermore, although Lemmons teaches a program search display mode using a restrictive search selection criterion, the available selection criteria are displayed and provided by the IPG, as defined by the headend telecasting center (see, for example, Lemmons paragraphs 27 and 74; Fig. 7). This is also different from Applicants' invention, in which the search criteria (e.g., keywords) are generated by the user, and not pre-defined by the headend.

Since claims 11-13 and 15 depend directly or indirectly from independent claim 1, for at least the same reasons set forth above in connection with claim 1, these claims are also not obvious over the teaching of Ludvig, Bruette and Lemmons, either alone or in combination.

As such, Applicants submit that dependent claims 11-13 and 15 are patentable under 35 U.S.C. §103 over Ludvig in view of Bruette and further in view of Lemmons, and the rejection should be withdrawn.

35 U.S.C. §103 Rejection of Claim 18

Examiner has rejected claim 18 under 35 U.S.C. §103(a) as being unpatentable over Ludvig in view of Bruette and in further view of Thomas et al. (US Pat No 5,666,645, hereinafter "Thomas"). Applicants respectfully traverse the rejection.

Col. 7, lines 27-31 of Thomas is cited for teaching the indexing of a database to help with finding certain marked entries.

However, since there is no argument put forth in the Office Action that Thomas provides those features that are missing from Ludvig and Bruette, e.g., that Thomas

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does not teach a method or system that includes sending a search request based on one or more user-generated search criteria to a head end, independent claim 1 is also not obvious over the combined teachings of Ludvig, Bruette and Thomas.

Since claim 18 depends indirectly from independent claim 1, Applicants submit that claim 18 is also patentable under 35 U.S.C. §103 over Ludvig in view of Bruette and further in view of Thomas.

Therefore, the rejection of claim 18 should be withdrawn.


CONCLUSION

Thus, Applicants submit that none of the claims, presently in the application, are obvious under the provisions of 35 U.S.C. §103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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